

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	: DATE FILED: _____
	:
v.	: CRIMINAL NO.: 02-658
	:
RICHARD WILSON TORRES-TINEO	: VIOLATIONS:
	: 21 U.S.C. § 846 (Conspiracy to distribute
	: heroin - 1 count)
	: 18 U.S.C. § 371 (Conspiracy to obtain
	: immigration documents by fraud - 1
	: count)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From in or about June 1998 through on or about November 19, 1998, in the Eastern District of Pennsylvania and elsewhere, defendant

RICHARD WILSON TORRES-TINEO

conspired and agreed, together with others known and unknown to the grand jury, to knowingly and intentionally distribute and possess with intent to distribute one kilogram or more of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(A).

MANNER AND MEANS

It was a part of the conspiracy that:

2. Defendant RICHARD WILSON TORRES-TINEO agreed to distribute heroin in exchange for fraudulently obtained United States immigration documents for himself and others.

3. Defendant RICHARD WILSON TORRES-TINEO introduced two groups, the Philadelphia group and the Newark Group, to a person known to the grand jury (Person #1), for the purpose of obtaining fraudulent immigration documents for those individuals in exchange for cash or heroin. The Philadelphia group consisted of another person known to the grand jury (Person #2) and Griseli Ferreria-Perez and Rafael Sanchez-Colon, both charged elsewhere. The Newark group consisted of Helmer Andres Florez-Saavedra, Julio Cesar Florez-Saavedra, Luis Fernando Arcila-Fajardo, Maria Zamora, Victor Poveda, Rafael Antonio Aguilar-Builes, Espiridion Marin, Dora Tavaréz, Fernando Cadavid-Gutierrez, Juan Carlos Gutierrez and Luz Arango, all charged elsewhere.

4. Defendant RICHARD WILSON TORRES-TINEO would bring members of the Philadelphia and Newark groups to Philadelphia to meet Person #1 concerning the paperwork needed to obtain immigration documents by fraudulent means.

5. Defendant RICHARD WILSON TORRES-TINEO would obtain heroin from Helmer Andres Forez-Saavedra and others known and unknown to the grand jury in order to use the heroin as payment for fraudulent immigration documents.

OVERT ACTS

In furtherance of this conspiracy, the following overt acts took place in the Eastern District of Pennsylvania and elsewhere:

1. On or about June 24, 1998, at the Double Tree Hotel, 9600 Roosevelt Boulevard, Philadelphia, defendant RICHARD WILSON TORRES-TINEO provided Person #1 with fingerprints and photographs so that Person #1 could begin the process for illegally obtaining immigration documents by fraudulent means. During this meeting RICHARD WILSON TORRES-TINEO agreed to pay \$7,000 for the documents in two installments.

TORRES-TINEO was to pay \$3,500 after TORRES-TINEO received his employment authorization card, and was to pay the remaining \$3,500 when he received his alien registration card (green card).

2. On or about July 2, 1998, at the Best Western Hotel, 11580 Roosevelt Boulevard, Philadelphia, defendant RICHARD WILSON TORRES-TINEO paid Person #1 \$3,500 for TORRES-TINEO's employment authorization card.

3. On or about July 2, 1998, defendant RICHARD WILSON TORRES-TINEO told Person #1 during a telephone conversation that TORRES-TINEO wanted to pay for his immigration documents in heroin instead of cash, and TORRES-TINEO asked Person #1 to return the \$3,500 to TORRES-TINEO so that TORRES-TINEO could replace the cash with heroin.

4. On or about August 7, 1998, in the parking lot of the Northeast Shopping Center, Welsh Road and Roosevelt Boulevard, Philadelphia, as previously agreed, defendant RICHARD WILSON TORRES-TINEO, accompanied by Person #2, gave Person #1 approximately 30 grams of heroin, and Person #1 returned \$3,500 to TORRES-TINEO.

5. On about August 12, 1998, at the Roosevelt Inn, 7600 Roosevelt Boulevard, Philadelphia, defendant RICHARD WILSON TORRES-TINEO, Rafael Sanchez-Colon and Person #2 met with Person #1 for the purpose of completing paperwork for fraudulent immigration documents. Defendant RICHARD WILSON TORRES-TINEO told Person #1 that Person #2 was TORRES-TINEO's main assistant in TORRES-TINEO's drug business, and that TORRES-TINEO would pay for Person #2's fraudulent immigration documents.

6. On or about September 15, 1998, at the Roosevelt Inn, 7600 Roosevelt

Boulevard, Philadelphia, defendant RICHARD WILSON TORRES-TINEO introduced Maria Zamora, Luis Fernando Arcila-Fajardo and Helmer Andres Florez-Saavedra to Person #1 for the purpose of processing paperwork for fraudulent immigration documents for those individuals. Defendant RICHARD WILSON TORRES-TINEO told Person #1 that TORRES-TINEO was charging these individuals \$4,000 when they received their work authorization permits, and an additional \$4,000 when they received their green cards, but that TORRES-TINEO would then pay Person #1 the lower \$3,500 fee that Person #1 had previously negotiated with TORRES-TINEO.

7. On or about September 17, 1998, at the Roosevelt Inn, 7600 Roosevelt Boulevard, Philadelphia, defendant RICHARD WILSON TORRES-TINEO and Julio Cesar Florez-Saavedra from the Newark group met with Person #1 for the purpose of completing paperwork for fraudulent immigration documents for Julio Cesar Florez-Saavedra.

8. On or about September 21, 1998, at the Double Tree Hotel, 9600 Roosevelt Boulevard, Philadelphia, defendant RICHARD WILSON TORRES-TINEO and Helmer Andres Florez-Saavedra, Maria Zamora, Luis Fernando Arcila-Fajardo and Julio Cesar Florez-Saavedra, all from the Newark group, met with Person #1, who gave the members of the Newark group employment authorization cards. Defendant RICHARD WILSON TORRES-TINEO gave Person #1 approximately 120 grams of heroin in partial payment for these documents.

9. On or about September 22, 1998, at the Double Tree Hotel, 9600 Roosevelt Boulevard, Philadelphia, defendant RICHARD WILSON TORRES-TINEO and Person #2 from the Philadelphia group obtained Person #2's employment authorization card from Person #1. TORRES-TINEO gave Person #1 approximately 28 grams of heroin in partial

payment for Person #2's employment authorization card.

10. On or about October 1, 1998, at the Roosevelt Inn, 7600 Roosevelt Boulevard, Philadelphia, Luis Fernando Arcila-Fajardo brought Espiridion Marin and Raphael Antonio Aguilar-Builes of the Newark group to Person #1 for processing in connection with fraudulent immigration documents.

11. On or about October 1, 1998, defendant RICHARD WILSON TORRES-TINEO introduced Griselis Ferreria-Perez of the Philadelphia group to Person #1 for the purpose of completing paper work to obtain immigration documents from Person #1. TORRES-TINEO told Person #1 that TORRES-TINEO was obtaining money from Ferreria-Perez, and that TORRES-TINEO would pay Person #1 for Ferreria-Perez's documents.

12. On or about October 6, 1998, at the Double Tree Hotel, 9461 Roosevelt Boulevard, Philadelphia, Julio Cesar Flores-Saavedra brought Victor Poveda, Espiridion Marin and Raphael Antonio Aguilar-Builes, all of the Newark group, to meet with Person #1. Poveda was processed for his immigration documents, and Marin and Aguilar-Builes picked up their employment authorization cards. Later on that day, defendant RICHARD WILSON TORRES-TINEO and Ferreria-Perez of the Philadelphia group met with person #1, and Ferreria-Perez obtained her employment authorization card. TORRES-TINEO returned to Person #1's room and gave him 93 grams of heroin. Of this heroin, 60 of the 93 grams were in partial payment for two associates of Helmer Andres Florez-Saavedra, Rafael Aguilar-Builes and Espiridion Marin, who had received employment authorization cards that day. The remaining 30 grams were in partial payment for Ferreria-Perez's immigration documents.

13. On or about October 9, 1998, at the Double Tree Hotel, 9461 Roosevelt Boulevard, Philadelphia, Luis Fernando Arcila-Fajardo, Victor Poveda and Dora Tavarez, all of

the Newark group, met with the Person #1. Victor Poveda obtained his employment authorization card from Person #1, and Dora Tavaréz was processed for her card.

14. On or about October 14, 1998, at the Double Tree Hotel, 9461 Roosevelt Boulevard, Philadelphia, Julianno Lopez gave Person #1 approximately 100 grams of heroin in partial payment for immigration documents for Victor Poveda, who had received his employment authorization card on October 9, 1998, and for Tavaréz's card.

15. On or about October 21, 1998, at the Double Tree Hotel, 9461 Roosevelt Boulevard, Philadelphia, Julio Cesar Florez-Saavedra and Fernando Cadavid-Gutierrez met with Person #1 and Cadavid-Gutierrez picked up his employment authorization card. Julio Cesar Florez-Saavedra gave Person #1 approximately 235 grams of heroin. Of this heroin, 120 grams was in partial payment for immigration documents for Cadavid-Gutierrez, Arango and Juan Carlos Gutierrez, and approximately 50 grams of the heroin was purchased by Person #1 from Helmer Andres Florez-Saavedra for \$4,500. The remaining 65 grams of heroin were to be credited toward the final payment owed by the Newark group for immigration documents.

16. On or about October 22, 1998, at the Double Tree Hotel, 9461 Roosevelt Boulevard, Philadelphia, Julio Cesar Florez-Saavedra brought Luz Arango and Juan Carlos Gutierrez of the Newark group to be processed for immigration documents. Arango and Gutierrez received their employment authorization card later that same day.

17. On or about November 5, 1998, at the Roosevelt Inn, 7600 Roosevelt Boulevard, defendant RICHARD WILSON TORRES-TINEO and Person #2, Grisella Ferreria and Rafael Sanchez-Colon of the Philadelphia group all met with Person #1 and completed the paperwork necessary to obtain their green cards.

18. On or about November 5, 1998, at the Roosevelt Inn, 7600 Roosevelt

Boulevard, Philadelphia, Luis Fernando Arcila-Fajardo and Helmer Andres Florez-Saavedra met with Person #1 and arranged for all members of the Newark group, except for Julianno Lopez, to complete additional paperwork for their green cards. Luis Fernando Arcila-Fajardo and Helmer Andres Florez-Saavedra agreed to give Person #1 approximately 400 grams of heroin when all members of the Newark group received their green cards. In addition, Person #1 negotiated for the purchase of an additional one kilogram of heroin. Fernando Arcila-Fajardo and Helmer Andres Florez-Saavedra told Person #1 that defendant RICHARD WILSON TORRES-TINEO would receive a cut of all business Arcila-Fajardo and Florez-Saavedra conducted with Person #1.

19. On or about November 5, 1998, defendant RICHARD WILSON TORRES-TINEO met with Helmer Andres Florez-Saavedra in the parking lot of a restaurant on the 4500 block of North 5th Street in Philadelphia.

20. On or about November 9, 1998, defendant RICHARD WILSON TORRES-TINEO discussed with Person #1 during a telephone conversation that some photographs were needed to complete the processing of the immigration documents.

21. On or about November 19, 1998, at the Roosevelt Inn, 7600 Roosevelt Boulevard, Philadelphia, Luis Fernando Arcila-Fajardo and Julio Cesar Florez-Saavedra showed Person #1 what appeared to be more than one kilogram of heroin, a portion of which was final payment for immigration documents for the Newark group, and the remainder of which was to be purchased by Person #1.

22. On or about November 19, 1998, at the Roosevelt Inn, 7600 Roosevelt Boulevard, Philadelphia, Luis Fernando Arcila-Fajardo and Julio Cesar Florez-Saavedra locked Person #1 out of his room, began flushing the heroin down the toilet in the bathroom, and

attempted to escape out the window of the room.

23. On or about November 19, 1998, during a telephone conversation with Person #1, defendant RICHARD WILSON TORRES-TINEO made arrangements to pick up immigration documents for himself, Person #2, Grisella Ferreria and Rafael Sanchez-Colon of the Philadelphia group later that day.

24. On or about November 19, 1998, during a telephone conversation, defendant RICHARD WILSON TORRES-TINEO asked Person #1 if Luis Fernando Arcila-Fajardo had delivered the heroin to Person #1.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. From in or about June 1998 through on or about November 19, 1998, in the Eastern District of Pennsylvania and elsewhere, defendant

RICHARD WILSON TORRES-TINEO

conspired and agreed, together with others known and unknown to the grand jury, to knowingly and intentionally to possess Immigration and Naturalization Service Forms I-688B, that is, employment authorization cards, and Immigration and Naturalization Service Forms I-551, that is, alien registration/green cards, which were documents prescribed by statute or regulation as evidence of authorized stay and employment in the United States, knowing the documents to have been procured by fraud and to be unlawfully obtained, in that these documents were to be obtained without following Immigration and Naturalization Service procedures, and were to be obtained in exchange for heroin, in violation of Title 18, United States Code, Section 1546(a).

2. Paragraphs 2 through 5 of Count One are realleged here.

OVERT ACTS

In furtherance of this conspiracy, the following overt acts took place in the Eastern District of Pennsylvania and elsewhere:

1. Overt Acts 1-24 of Count One are realleged here.

All in violation of Title 18, United States Code, Section 371.

A TRUE BILL:

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
UNITED STATES ATTORNEY